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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/583,346	05/31/2000	Rabindranath Dutta	AUS000192US1	2382

7590 04/10/2003

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EXAMINER	
AMINI, JAVID A	
ART UNIT	**PAPER NUMBER**
2672	8

DATE MAILED: 04/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/583,346	DUTTA, RABINDRANATH	
	Examiner	Art Unit	
	Javid A Amini	2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 2-8,11-12,14-17,20-21,23-26, and 28-30 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 2-8,11,12,14-17,20,21,23-26 and 28-30 is/are rejected.

7)☒ Claim(s) 2-8,11,12,14-17,20,21,23-26 and 28-30 is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

Response to Amendment

The amendment filed on March 05, 2003 under 37 CFR 1.111 has been considered but is ineffective to overcome the Wharton et al. reference.

Examiner Amendment for Drawings

New corrected drawings are required in this application because Figure 1 requires having a brief description of the drawing. Figure 2 requires retype of the labels, and brief description of the drawings. Figure 3 requires a brief description of the drawing. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

List of claims:

1. **Claim 1. (Canceled).**
2. **Claim 9. (Canceled).**
3. **Claim 10. (Canceled).**
4. **Claim 13. (Canceled).**
5. **Claim 18. (Canceled).**
6. **Claim 19. (Canceled).**
7. **Claim 22. (Canceled).**
8. **Claim 27. (Canceled).**

9. **Claim 2. (Amended):** The method of claim [1] 28, wherein the data page is received over a wireless connection.

10. **Claim 3. (Amended):** The method of claim [1] 28, wherein the second orientation is a ninety-degree rotation of the first orientation.

11. **Claim 4. (Amended):** The method of claim [1] 28, wherein the device comprises a display that is significantly larger in a first dimension than in a second direction orthogonal to the first dimension.

12. **Claim 5. (Amended):** The method of claim [1] 28, wherein the data page is redisplayed in response to a user input.

13. **Claim 6. (Amended):** The method of claim [1] 28, wherein the data page is redisplayed after a preset duration.

14. **Claim 7. (Amended):** The method of claim [1] 28, wherein in the portable device is a wireless telephone.

15. **Claim 8. (Amended):** The method of claim [1] 28, wherein the portable device is a personal digital assistant.

16. **Claim 11. (Amended):** The portable data processing system of claim [10] 29, wherein the data page is received over a wireless connection.

17. **Claim 12. (Amended):** The portable data processing system of claim [10] 29 wherein the second orientation is a ninety-degree rotation of the first orientation.

18. **Claim 14. (Amended)**: The portable data processing system of claim [10] 29, wherein the data page is displayed in response to a user input.

19. **Claim 15. (Amended):** The portable data processing system of claim [10] 29, wherein the data page is redisplayed after a preset duration.

20. **Claim 16.(amended):** The data processing system of claim [10] 29, wherein the portable data processing system is a wireless telephone.

21. **Claim 17. (Amended):** The data processing system of claim [10] 29, wherein the portable data processing system is a personal digital assistant.

22. **Claim 20. (Amended):** The computer program product of claim [19] 30, wherein the data page is received over a wireless connection.

23. **Claim 21. (Amended):** The computer program product of claim [19] 30 wherein the second orientation is a ninety-degree rotation of the first orientation.

24. **Claim 23. (Amended):** The computer program product of claim [19] 30, wherein the data page is redisplayed in response to a user input.

25. **Claim 24. (Amended):** The computer program product of claim [19] 30, wherein the data page is redisplayed after a preset duration.

26. **Claim 25. (Amended):** The computer program product of clam [19] 30, wherein the portable device is a wireless telephone.

27. **Claim 26. (Amended):** The computer program product of claim [19] 30, wherein the portable device is a personal digital assistant.

28. **Claim 28. (New):** A method for displaying data on a portable device having a display that is significantly larger in a first dimension than in a second dimension, said method comprising the steps of: receiving a data page in the portable device; analyzing the data page;

and automatically displaying the data page in either a first orientation or a second orientation within the display in response to the analysis of the data page.

29. **Claim 29. (New):** The portable data processing system having a processor, write able memory and a display which is significantly larger in a first dimension than in a second dimension, said portable data, processing systems comprising: means for receiving a data page in the portable data processing system; menus for analyzing the data page; anal means for automatically displaying the data page in either a first orientation or a second orientation within the display in response to the analysis of the data page.

30. **Claim 30. (New):** A computer program product for use within a portable data processing device having a display that is significantly larger in a first dimension than in a second dimension, said computer program product comprising: media readable by the portable data processing device; instructions embodied within the media for receiving a data page within the portable data processing device; instructions embodied within the media for analyzing the data page; and instructions embodied within the media for automatically displaying the data page in either a first orientation or a second orientation within the display in response to the analysis of the data page.

Response to remarks on page 5

Response t page 5, lines 8-16: Based upon a careful consideration the term "analysis of a received data page and a display of that data page in either a first orientation or a second orientation" needs to explain and illustrate clearly upon the allowance of claims 28-30.

Response to page 5, lines 20-28: Claims 3, 12 and 21 disclose the ninety-degree rotation, the specification does not specify how the analysis are done in this invention. And also the response from applicant does not specify this matter in the remarks.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 28, 29 and 30 rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure which is not enabling. The definition and parameters of "analyzing the data page" and are critical or essential to the practice of the invention, but not included in the claim(s) is not enabled by the disclosure. See *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976). Since after the applicant combined the objected claims (not precisely all the parameters) to their independent claims the emphasis of invention which depends on the parameters of "analyzing the data page" are not known whether is using the options of Landscape or Portrait. Applicant should show how the data page analysis is done in this invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims, 1-2, 4-8, 10-11, 13-17, 19-20 and 22-26 rejected under 35 U.S.C. 102(b) as being anticipated by Wharton et al. US 5,831,664 with filling date of Dec. 15, 1995.

1. Claim 28,

As per claim 28, "A method for displaying data on a portable device having a display that is significantly larger in a first dimension than in a second dimension, said method comprising the steps of: receiving a data page in the portable device; analyzing the data page; and automatically displaying the data page in either a first orientation or a second orientation within the display in response to the analysis of the data page", Wharton et al. hereinafter, Wharton illustrated in Figs. 3 the various display screens available for the mobile interface device in a real estate application. And also in Fig. 6 illustrated the sequence of steps performed by the system of the present invention when the mobile interface device receives a user input signal. Wharton disclosed in (col. 1, lines 27-31) that an interactive terminal allows a user to change a control graphic display based on an input signal from the user. Also Wharton discloses in (col. 1, lines 60-65) that provides a method and system for synchronizing (analysis data page) display of data relating to a pre-determined application between an interactive terminal and a mobile interface device having a display.

2. Claim 2,

As per claim 2, "wherein the data page is received over a wireless connection", Wharton disclosed in (col. 3, lines 30-35), Fig. 1 that communication between the mobile interface device 12 and the set-top transceiver device 16 may be either wireless infra-red technology or wire line communications.

3. Claim 4,

As per claim 4, "wherein the device comprises a display that is significantly larger in a first dimension than in a second direction orthogonal to the first dimension", Wharton illustrated in Fig. 1 the different size of display.

4. Claim 5,

As per claim 5, "wherein the data page is redisplayed in response to a user input", Wharton illustrated in Figs. 3 the save push button key to save the image and redisplay it in response to a user input.

5. Claim 6,

As per claim 6, "wherein the data page is redisplayed after a preset duration", see rejection of claim 5.

6. Claim 7,

As per claim 7, "wherein the portable device is a wireless telephone", Wharton disclosed in (col. 3, lines 30-35), Fig. 1 that communication between the mobile interface device 12 and the set-top transceiver device 16 may be either wireless infra-red technology or wire line communications.

7. Claim 8,

As per claim 8, "wherein the portable device is a personal digital assistant", Wharton disclosed in (col. 3, line 30), Fig. 1 that the portable device is a personal digital assistant (PDA) for transmitting user input signals.

8. Claim 29,

As per claim 29, "The portable data processing system having a processor, write able memory and a display which is significantly larger in a first dimension than in a second dimension, said portable data, processing systems comprising: means for receiving a data page in the portable

data processing system; menus for analyzing the data page; anal means for automatically displaying the data page in either a first orientation or a second orientation within the display in response to the analysis of the data page.", Wharton illustrated in Figs. 3 the various display screens available for the mobile interface device in a real estate application. And also in Fig. 6 illustrated the sequence of steps performed by the system of the present invention when the mobile interface device receives a user input signal. Wharton disclosed in (col. 1, lines 27-31) that an interactive terminal allows a user to change a control graphic display based on an input signal from the user. Also Wharton discloses in (col. 1, lines 60-65) that provides a method and system for synchronizing (analysis data page) display of data relating to a pre-determined application between an interactive terminal and a mobile interface device having a display.

9. Claim 11,

As per claim 11," wherein the data page is received over a wireless connection", Wharton disclosed in (col. 3, lines 30-35), Fig. 1 that communication between the mobile interface device 12 and the set-top transceiver device 16 may be either wireless infra-red technology or wire line communications.

10. Claim 14,

As per claim 14, "wherein the data page is redisplayed in response to a user input", Wharton illustrated in Figs. 3 the save push button key to save the image and redisplay it in response to a user input.

11. Claim 15,

As per claim 15, "wherein the data page is redisplayed after a preset duration", see rejection of claim 5.

12. Claim 16,

As per claim 16, "wherein the portable data processing system is a wireless telephone", Wharton disclosed in (col. 3, lines 30-35), Fig. 1 that communication between the mobile interface device 12 and the set-top transceiver device 16 may be either wireless infra-red technology or wire line communications.

13. Claim 17,

As per claim 17, "wherein the portable data processing system is a personal digital assistant", Wharton disclosed in (col. 3, line 30), Fig. 1 that the portable device is a personal digital assistant (PDA) for transmitting user input signals.

14. Claim 30,

As per claim 30, "A computer program product for use within a portable data processing device having a display that is significantly larger in a first dimension than in a second dimension, said computer program product comprising: media readable by the portable data processing device; instructions embodied within the media for receiving a data page within the portable data processing device; instructions embodied within the media for analyzing the data page; and instructions embodied within the media for automatically displaying the data page in either a first orientation or a second orientation within the display in response to the analysis of the data page", Wharton illustrated in Figs. 3 the various display screens available for the mobile interface device in a real estate application. And also in Fig. 6 illustrated the sequence of steps performed by the system of the present invention when the mobile interface device receives a user input signal. Wharton disclosed in (col. 1, lines 27-31) that an interactive terminal allows a user to change a control graphic display based on an input signal from the user. Also Wharton

discloses in (col. 1, lines 60-65) that provides a method and system for synchronizing (analysis data page) display of data relating to a pre-determined application between an interactive terminal and a mobile interface device having a display.

15. Claim 20,

As per claim 20, "wherein the data page is received over a wireless connection", Wharton disclosed in (col. 3, lines 30-35), Fig. 1 that communication between the mobile interface device 12 and the set-top transceiver device 16 may be either wireless infra-red technology or wire line communications.

16. Claim 23,

As per claim 23, "wherein the data page is redisplayed in response to a user input", Wharton illustrated in Figs. 3 the save push button key to save the image and redisplay it in response to a user input.

17. Claim 24,

As per claim 24, "wherein the data page is redisplay after a preset duration", see rejection of claim 5.

18. Claim 25,

As per claim 25, "wherein the portable device is a wireless telephone", Wharton disclosed in (col. 3, lines 30-35), Fig. 1 that communication between the mobile interface device 12 and the set-top transceiver device 16 may be either wireless infra-red technology or wire line communications.

19. Claim 26,

As per claim 26, "wherein the portable device is a personal digital assistant", Wharton disclosed in (col. 3, line 30), Fig. 1 that the portable device is a personal digital assistant (PDA) for transmitting user input signals.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3,12 and 21 rejected under 35 U.S.C. 103(a) as being unpatentable over Wharton and further in view of Badger US 5,973,664 with filling date of March 19, 1998.

20. Claim 3,

As per claim 3, "wherein the second orientation is a ninety-degree rotation of the first orientation", Wharton teaches in Fig. 9 an example that shows how the PDA 12 can be dynamically reconfigured to offer different options and buttons for controlling both the content of the information on the PDA 12 as well as what is shown on the TV 14. But Wharton dose not teach the ninety-degree rotation.

Badger illustrated in Fig. 1 the first and second orientations with 90-degree rotation.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Badger into Wharton because Badger can accommodate several image orientation modes in a single software driver, and this software driver can be installed on Wharton's system. One advantage is for a remote control interface that can be

dynamically reconfigured to correspond with an application. A need also exists for an interactive system that allows a wide range of interfaces to be presented to the user (col. 1, lines 60-67).

21. Claim 12,

As per claim 12, "wherein the second orientation is a ninety-degree rotation of the first orientation", Wharton teaches in Fig. 9 an example that shows how the PDA 12 can be dynamically reconfigured to offer different options and buttons for controlling both the content of the information on the PDA 12 as well as what is shown on the TV 14. But Wharton dose not teach the ninety-degree rotation.

Badger illustrated in Fig. 1 the first and second orientations with 90-degree rotation.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Badger into Wharton because Badger can accommodate several image orientation modes in a single software driver, and this software driver can be installed on Wharton's system. One advantage is for a remote control interface that can be dynamically reconfigured to correspond with an application. A need also exists for an interactive system that allows a wide range of interfaces to be presented to the user (col. 1, lines 60-67).

22. Claim 21,

As per claim 21, "wherein the second orientation is a ninety-degree rotation of the first orientation", Wharton teaches in Fig. 9 an example that shows how the PDA 12 can be dynamically reconfigured to offer different options and buttons for controlling both the content

of the information on the PDA 12 as well as what is shown on the TV 14. But Wharton dose not teach the ninety-degree rotation.

Badger illustrated in Fig. 1 the first and second orientations with 90-degree rotation.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Badger into Wharton because Badger can accommodate several image orientation modes in a single software driver, and this software driver can be installed on Wharton's system. One advantage is for a remote control interface that can be dynamically reconfigured to correspond with an application. A need also exists for an interactive system that allows a wide range of interfaces to be presented to the user (col. 1, lines 60-67).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A Amini whose telephone number is 703-605-4248. The examiner can normally be reached on 8-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 703-305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-8705 for regular communications and 703-746-8705 for After Final communications.

Javid Amini
April 7, 2003

JEFFERY BRIER
PRIMARY EXAMINER